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3 BILL NO. G-75-11-48 (AS AMENDED)

4 GENERAL ORDINANCE NO. G-30-75

5 AN ORDINANCE providing for indemnity for certain  
6 persons involved in law suits and providing further  
for the payment of judgments and compromise settlements

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
8 WAYNE, INDIANA:

9 SECTION 1. The City shall provide legal services to any officer, em-  
10 ployees or agent of the City, and any former officer, employee or agent of the City,  
11 who has been sued, or who is hereafter sued, or against whom a claim has been made  
or may hereafter be made relative to damages or liability arising out of actions or  
failures to act done in good faith in the performance of duty.

12 SECTION 2. The City shall hold harmless any officer, employee or  
13 agent, or former officer, employee or agent, from any liability or damages if it is  
14 determined that the act or failure to act which gave rise to liability or damages was  
15 done in good faith in the performance of duty, provided however, this ordinance  
shall have no application to any case where the City of Fort Wayne or state of  
Indiana may bring an action against an officer, employee or agent, or former  
officer, employee or agent.

16 SECTION 3. If any section, clause, sentence, paragraph, part or  
17 provision of this Ordinance shall be held invalid by any court, it shall be  
18 conclusively presumed that this Ordinance would have been passed by the Common  
19 Council without such invalid section, clause, sentence, paragraph, part or  
provision.

20 SECTION 4. This Ordinance shall be in full force and effect from and  
21 after its passage and approval by the Mayor.

22 John Nuckols  
23 Councilman  
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Read the first time in full and on motion by Nuckols, seconded by Hings, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 11-25-75

Charles W. Weberman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hings, and duly adopted, placed on its passage. Passed ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>8</u>	<u>1</u>			
BURNS	<u>X</u>				
HINGA	<u>X</u>				
<del>HUNTER</del>		<u>X</u>			
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 12-23-75

Charles W. Weberman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 5-30-75 on the 23rd day of December, 1975.

ATTEST: (SEAL)

Charles W. Weberman  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1975, at the hour of 4:00 o'clock P. M., E.S.T.

Charles W. Weberman  
CITY CLERK

Approved and signed by me this 29th day of December, 1975, at the hour of 9:00 o'clock A. M., E.S.T.

John A. L. S.  
MAYOR

Hold till  
12/19

Bill No. G-75-11-48 (*as amended*)

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
providing for indemnity for certain persons involved in law suits and providing  
further for the payment of judgments and compromise settlements

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do (*as amended*) PASS.

~~Eugene Kraus, Jr. - Chairman~~

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Samuel J. Talarico

*John Nuckols*  
*Vivian G. Schmidt*  
*Paul M. Burns*

Samuel J. Talarico

DATE 12/23/5 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

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13 or may hereafter be made relative to damages or liability arising out of actions or  
14 failures to act done in good faith in the performance of duty.

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16 agent, or former officer, employee or agent, from any liability or damages if it is  
17 determined that the act or failure to act which gave rise to liability or damages was  
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19 SECTION 3. If any section, clause, sentence, paragraph, part or  
20 provision of this Ordinance shall be held invalid by any court, it shall be conclu-  
21 sively presumed that this Ordinance would have been passed by the Common Council  
22 without such invalid section, clause, sentence, paragraph, part or provision.

23 SECTION 4. This Ordinance shall be in full force and effect from and  
24 after its passage and approval by the Mayor.  
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31 *David B. Allen* *John H. Lusk*  
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PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS, JERRY MINGOVAN & SAM REVETT

ROLL CALL OF MEMBERS

CHARLES W. WESTERMAN, CITY CLERK

COMMUNICATIONS

- A. COMMON COUNCIL COMMITTEE APPOINTMENTS FOR 1976 ---- Confirming the appointments of the Standing Committees of the 1976 Common Council of Fort Wayne, duly appointed by James S. Stier, elected president of Common Council
- B. From James S. Stier, Council President to Mayor Robert E. Armstrong - January 6, 1976
- C. From Mayor Robert E. Armstrong to Common Council - January 12, 1976
- D. From Mayor Robert E. Armstrong to Common Council - VETO MESSAGE - January 9, 1976
- F. From Mayor Robert E. Armstrong to Common Council - January 2, 1976
- G. From Mayor Robert E. Armstrong to Charles W. Westerman, City Clerk - January 1, 1976
- H. From Mayor Robert E. Armstrong to Common Council - January 2, 1976
- I. From Charles W. Westerman, City Clerk to Common Council - January 13, 1976
- J. From City Controller the monthly financial statement for the month of November, 1975
- K. From Mayor Ivan A. Lebamoff - Approval of Ordinances December 29, 1975
- L. From City Plan Commission - (3) Three Communications - December 29 & 29, 1975, and January 6, 1976
- M. From Director of Public Safety - (1) One Communication - January 12, 1976

COUNCIL JOURNAL APPROVAL - November 25, 1975

ORDINANCES ON SECOND READING

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS - FROM COUNCILMEN AND CITIZENS

RETIREMENT OF COLORS

ADJOURNMENT

Prepared by the Office  
of the City Clerk  
Charles W. Westerman

Provided however, this ordinance shall have no application to any case where the city, or <sup>of Ft. Wayne</sup> state of Indiana may bring an action against an officer, employee or agent, or former officer, employee or agent.

amended by O. Schmidt - 12-23-75 -

DIGEST SHEET

TITLE OF ORDINANCE GENERAL *B-75-11-48*

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

SYNOPSIS OF ORDINANCE Providing for legal representation for certain persons

involved in law suits and providing further, for the payment of juegments

and compromise settlements

EFFECT OF PASSAGE \_\_\_\_\_

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) *Regulation 161*